

OCT 26 1999

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
 (Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:
 DUPLICATE

Address to:

Assistant Commissioner for Patents
 Box CPA
 Washington, DC 20231

Attorney Docket No. of Prior Application	3996.035/DHE
First Named Inventor	Brady
Examiner Name	M. Eashoo
Group / Art Unit	1732
Express Mail Label No.	EL157448213US

This is a request for a continuation or divisional application under 37 C.F.R. § 1.53(d),
 (continued prosecution application (CPA)) of prior application number 08 / 690,136,
 filed on July 31, 1996, entitled Process of Adjusting WVTR Polyolefin Film

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is 37 C.F.R. § 1.78(a).

- Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4)
 - DELETE** the following inventor(s) named in the prior nonprovisional application:

 - The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - PTO-1449
 - Copies of IDS Citations

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760.00

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

10/26/1999 TRAIL
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (i))	10-20* =	0	x \$ _____ =	\$ 0
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	1 -3** =	0	x \$ _____ =	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			+ \$ _____ =	0
				BASIC FEE (37 C.F.R. § 1.16)	760
				Total of above Calculations =	760
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue Independent claims over original patent.			TOTAL =	760

6. Small entity status:

- a. A small entity statement is enclosed, if (b) and (c) do not apply.
- b. A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 20-1299:

- a. Fees required under 37 C.F.R. § 1.16.
- b. Fees required under 37 C.F.R. § 1.17.
- c. Fees required under 37 C.F.R. § 1.18.

8. A check in the amount of \$ 760 is enclosed.9. New Attorney Docket Number, if desired 3996.035/DHE*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*10. a. Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b. Return Receipt Postcard (Should be specifically itemized, See MPEP 503)11. Other:

NOTE: *The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.*

12. NEW CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Labelor New correspondence address below*(Insert Customer No. or Attach bar code label here)*

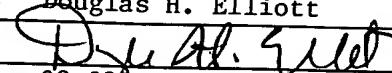
Name	Douglas H. Elliott				
	Tobor, Goldstein & Healey, L.L.P.				
Address	1360 Post Oak Blvd., Suite 2300				
City	Houston	State	TX	Zip Code	77056
Country	US	Telephone	713-877-1515	Fax	713-877-1145

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Douglas H. Elliott

Signature



32,982

Registration No. (Attorney/Agent)

10-25-99

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#22/E
P. 67
10-29-99

In re Application of:
Brady, et al.

Serial No. 08/690,136 OCT 26 1999

Filed: July 31, 1996

For: PROCESS OF ADJUSTING WVTR
POLYOLEFIN FILM

§ EXAMINER: M. Eashoo
§
§ Group Art Unit No. 1732
§
§
§ Attorney Docket No. 3996.035/DHE

PRELIMINARY AMENDMENT

Assistant Commissoner for Patents
Washington, D.C. 20231

Dear Sir:

This Preliminary Amendment is being submitted in response to the Office Action mailed July 23, 1999.

CERTIFICATE OF MAILING 37 C.F.R. 1.10	
I hereby certify that this correspondence is being deposited with the U. S. Postal Service as Express Mail Post Office to Addressee Service, as Express Mail No. EL157448213US, prior to the last scheduled pickup, in an envelope addressed to: Assistant Commissioneer for Patents, Washington, D.C. 20231, on the date indicated below.	
10-25-99	Cheryl S. Ratcliffe
Date	Cheryl S. Ratcliffe

AMENDMENTS

Please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 12-18 without prejudice.

REMARKS

This is being filed with a continuing patent application, responsive to the Office Action dated July 23, 1999 and is filed prior to the expiration of the three month shortened statutory period for response. Claims 12-18 have been cancelled without prejudice, leaving claims 19-28 pending. Examination is respectfully requested.